

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:)
)
Jennifer L. Reul-Marr)
71 Cedar Lane)
Ridgefield, CT 06877)
)
Respondent)

ORDER RELATING TO JENNIFER L. REUL-MARR

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”) has notified Jennifer L. Reul-Marr (“Marr”), of its intention to initiate an administrative proceeding against Marr pursuant to Section 766.3 of the Export Administration Regulations (currently codified at 15 C.F.R. Parts 730-774 (2007)) (the “Regulations”),¹ and Section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C. app. §§ 2401-2420 (2000)) (the “Act”),² through issuance of a proposed charging letter to Marr that alleged that Marr committed one violation of the Regulations. Specifically, this charge is:

¹ The violation alleged to have been committed occurred in 2001 - 2003. The Regulations governing the violations at issue are found in the 2001 - 2003 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2001-2003)). The 2007 Regulations establish the procedures that apply to this matter.

² Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2007 (72 Fed. Reg. 46137 (Aug. 16, 2007)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2000)) (“IEEPA”).

**Charge 1 15 C.F.R. §764.2(d) - Conspiring to Act in Concert with Other
Persons to Do an Act that Constitutes a Violation of the Regulations**

From in or about September 2001 and continuing through in or about March 2003, Marr conspired or acted in concert with others, known and unknown, to bring about an act that violates the Regulations. The purpose of the conspiracy was to export dental equipment, items subject to the Regulations (EAR99) and the Iranian Transactions Regulations (“ITR”), from the United States to Iran without the required U.S. government authorization. In furtherance of the conspiracy, the co-conspirators, including Marr, participated in a scheme in which Marr’s employer would be contacted by a co-conspirator in Iran and arrange for the sale and export of dental equipment to Iran through the United Arab Emirates (“U.A.E.”). A co-conspirator would then direct the items to be shipped from the U.A.E. to Iran without the required U.S. government authorization. Pursuant to Section 746.7 of the Regulations authorization was required from the U.S. Treasury Department’s Office of Foreign Assets Control (“OFAC”) before the items could be exported to Iran, and no such authorization was obtained. Failing to obtain OFAC authorization is a violation of the Regulations. In so doing, Marr committed one violation of Section 764.2(d) of the Regulations.

WHEREAS, BIS and Marr have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein, and

WHEREAS, I have approved of the terms of such Settlement Agreement;

IT IS THEREFORE ORDERED:

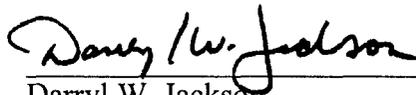
FIRST, that a civil penalty of \$7,700 is assessed against Marr, which shall be paid to the U.S. Department of Commerce within 30 days from the date of entry of this Order. Payment shall be made in the manner specified in the attached instructions.

SECOND, that, pursuant to the Debt Collection Act of 1982, as amended (31 U.S.C. §§ 3701-3720E (2000)), the civil penalty owed under this Order accrues interest as more fully described in the attached Notice, and, if payment is not made by the due date specified herein, Marr will be assessed, in addition to the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

THIRD, that the timely payment of the civil penalty set forth above is hereby made a condition to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to Marr. Accordingly, if Marr should fail to pay the civil penalty in a timely manner, the undersigned may enter an Order denying all of Marr's export privileges for a period of one year from the date of entry of this Order.

FOURTH, that the proposed charging letter, the Settlement Agreement, and this Order shall be made available to the public.

This Order, which constitutes the final agency action in this matter, is effective immediately.



Darryl W. Jackson
Assistant Secretary of Commerce
for Export Enforcement

Entered this 26th day of September, 2007.

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:)
)
Jennifer L. Reul-Marr)
71 Cedar Lane)
Ridgefield, CT 06877)
)
Respondent)

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made by and between Jennifer L. Reul-Marr (Marr), in her individual capacity (referred to hereinafter as “Marr”) and the Bureau of Industry and Security, U.S. Department of Commerce (“BIS”) (collectively, the “Parties”), pursuant to Section 766.18(a) of the Export Administration Regulations (currently codified at 15 C.F.R. Parts 730-774 (2007)) (the “Regulations”),¹ issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C. app. §§ 2401-2420 (2000)) (the “Act”),²

¹ The violation alleged to have been committed occurred in 2001 - 2003. The Regulations governing the violation at issue are found in the 2001 - 2003 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2001-2003)). The 2007 Regulations establish the procedures that apply to this matter.

² Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2007 (72 Fed. Reg. 46137 (Aug. 16, 2007)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2000)) (“IEEPA”).

WHEREAS, BIS has notified Marr of its intention to initiate an administrative proceeding against Marr, pursuant to the Act and the Regulations;

WHEREAS, BIS has issued a proposed charging letter to Marr that alleged that Marr committed one violation of the Regulations, specifically:

Charge 1 15 C.F.R. §764.2(d) - Conspiring to Act in Concert with Other Persons to Do an Act that Constitutes a Violation of the Regulations

From in or about September 2001 and continuing through in or about March 2003, Marr conspired or acted in concert with others, known and unknown, to bring about an act that violates the Regulations. The purpose of the conspiracy was to export dental equipment, items subject to the Regulations (EAR99) and the Iranian Transactions Regulations (“ITR”), from the United States to Iran without the required U.S. government authorization. In furtherance of the conspiracy, the co-conspirators, including Marr, participated in a scheme in which Marr’s employer would be contacted by a co-conspirator in Iran and arrange for the sale and export of dental equipment to Iran through the United Arab Emirates (“U.A.E.”). A co-conspirator would then direct the items to be shipped from the U.A.E. to Iran without the required U.S. government authorization. Pursuant to Section 746.7 of the Regulations authorization was required from the U.S. Treasury Department’s Office of Foreign Assets Control (“OFAC”) before the items could be exported to Iran, and no such authorization was obtained. Failing to obtain OFAC authorization is a violation of the Regulations. In so doing, Marr committed one violation of Section 764.2(d) of the Regulations.

WHEREAS, Marr has reviewed the proposed charging letter and is aware of the allegations made against her and the administrative sanctions which could be imposed against her if the allegations are found to be true;

WHEREAS, Marr fully understands the terms of this Agreement and the Order (“Order”) that the Assistant Secretary of Commerce for Export Enforcement will issue if she approves this Agreement as the final resolution of this matter;

WHEREAS, Marr enters into this Agreement voluntarily and with full knowledge of her rights;

WHEREAS, Marr states that no promises or representations have been made to her other than the agreements and considerations herein expressed;

WHEREAS, Marr neither admits nor denies the allegations contained in the proposed charging letter;

WHEREAS, Marr wishes to settle and dispose of all matters alleged in the proposed charging letter by entering into this Agreement; and

WHEREAS, Marr agrees to be bound by the Order, if entered;

NOW THEREFORE, the Parties hereby agree as follows:

1. BIS has jurisdiction over Marr, under the Regulations, in connection with the matters alleged in the proposed charging letter.

2. The following sanction shall be imposed against Marr in complete settlement of the alleged violations of the Regulations relating to the transactions specifically detailed in the proposed charging letter:

a. Marr shall be assessed a civil penalty in the amount of \$7,700, all of which shall be paid to the U.S. Department of Commerce within 30 days from the date of entry of the Order.

b. The timely payment of the civil penalty agreed to in paragraph 2.a is hereby made a condition to the granting, restoration, or continuing validity of any export license, permission, or privilege granted, or to be granted, to Marr. Failure to make timely payment of the civil penalty set forth above may result in the denial of all of Marr's export privileges for a period of one year from the date of imposition of the penalty.

3. Subject to the approval of this Agreement pursuant to paragraph 8 hereof, Marr hereby waives all rights to further procedural steps in this matter (except with respect to any alleged violations of this Agreement or the Order, if entered), including,

without limitation, any right to: (a) an administrative hearing regarding the allegations in any charging letter; (b) request a refund of any civil penalty paid pursuant to this Agreement and the Order, if entered; and (c) seek judicial review or otherwise contest the validity of this Agreement or the Order, if entered.

4. Upon entry of the Order and timely payment of the \$7,700 civil penalty, BIS will not initiate any further administrative proceeding against Marr in connection with any violation of the Act or the Regulations arising out of the transactions identified in the proposed charging letter.

5. BIS will make the proposed charging letter, this Agreement, and the Order, if entered, available to the public.

6. This Agreement is for settlement purposes only. Therefore, if this Agreement is not accepted and the Order is not issued by the Assistant Secretary of Commerce for Export Enforcement pursuant to Section 766.18(a) of the Regulations, no Party may use this Agreement in any administrative or judicial proceeding and the Parties shall not be bound by the terms contained in this Agreement in any subsequent administrative or judicial proceeding.

7. No agreement, understanding, representation or interpretation not contained in this Agreement may be used to vary or otherwise affect the terms of this Agreement or the Order, if entered, nor shall this Agreement serve to bind, constrain, or otherwise limit any action by any other agency or department of the U.S. Government with respect to the facts and circumstances addressed herein.

8. This Agreement shall become binding on the Parties only if the Assistant Secretary of Commerce for Export Enforcement approves it by entering the Order, which

Settlement Agreement
Jennifer L. Reul-Marr
Page 5 of 5

will have the same force and effect as a decision and order issued after a full administrative hearing on the record.

9. Each signatory affirms that he has authority to enter into this Settlement Agreement and to bind his respective party to the terms and conditions set forth herein.

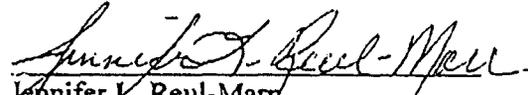
BUREAU OF INDUSTRY AND SECURITY
U.S. DEPARTMENT OF COMMERCE

JENNIFER L. REUL-MARR



Thomas Madigan
Acting Director
Office of Export Enforcement

Date: 9/26/07



Jennifer L. Reul-Marr

Date: 9/26/07

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Jennifer L. Reul-Marr
71 Cedar Lane
Ridgefield, CT 06877

Dear Ms. Reul-Marr:

The Bureau of Industry and Security, U. S. Department of Commerce ("BIS"), has reason to believe that you, Jennifer L. Reul-Marr ("Marr"), former Vice-President of International Sales/Export Division at Henry Schein, Inc., of Melville, New York, in your individual capacity, have committed one violation of the Export Administration Regulations (the "Regulations"),¹ which are issued under the authority of the Export Administration Act of 1979, as amended (the "Act").² Specifically, BIS charges that Marr committed the following violation:

Charge 1 15 C.F.R. §764.2(d) - Conspiring to Act in Concert with Other Persons to Do an Act that Constitutes a Violation of the Regulations

From in or about September 2001 and continuing through in or about March 2003, Marr conspired or acted in concert with others, known and unknown, to bring about an act that violates the Regulations. The purpose of the conspiracy was to export dental equipment, items subject to the Regulations³ (EAR99) and the Iranian Transactions Regulations ("ITR")⁴, from the United States to Iran without the required U.S. government authorization. In furtherance of the

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2006). The violations charged occurred in 2001-2003. The Regulations governing the violations at issue are found in the 2001-2003 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2001-2003)). The 2006 Regulations govern the procedural aspects of this case.

² 50 U.S.C. app. §§ 2401- 2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2007 (72 Fed. Reg. 46137 (Aug. 16, 2007)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2000)) ("IEEPA").

³ EAR99 is a designation for items subject to the Regulations but not listed on the Commerce Control List. 15 C.F.R. § 734.3(c) (2001-2003).

⁴ The Iranian Transactions Regulations are currently codified at 31 C.F.R. Part 560 (2007).

conspiracy, the co-conspirators, including Marr, participated in a scheme in which Marr's employer would be contacted by a co-conspirator in Iran and arrange for the sale and export of dental equipment to Iran through the United Arab Emirates ("U.A.E."). A co-conspirator would then direct the items to be shipped from the U.A.E. to Iran without the required U.S. government authorization. Pursuant to Section 746.7 of the Regulations authorization was required from the U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") before the items could be exported to Iran, and no such authorization was obtained. Failing to obtain OFAC authorization is a violation of the Regulations. In so doing, Marr committed one violation of Section 764.2(d) of the Regulations.

* * * * *

Accordingly, Marr is hereby notified that an administrative proceeding is instituted against her pursuant to Section 13(c) of the Act and Part 766 of the Regulations for the purpose of obtaining an order imposing administrative sanctions, including any or all of the following:

The maximum civil penalty allowed by law of up to \$11,000 per violation;⁵

Denial of export privileges; and/or

Exclusion from practice before BIS.

If Marr fails to answer the charges contained in this letter within 30 days after being served with notice of issuance of this letter, that failure will be treated as a default. (Regulations, Sections 766.6 and 766.7). If Marr defaults, the Administrative Law Judge may find the charges alleged in this letter are true without a hearing or further notice to Marr. The Under Secretary of Commerce for Industry and Security may then impose up to the maximum penalty on each of the charges in this letter.

Marr is further notified that she is entitled to an agency hearing on the record if she files a written demand for one with her answer. (Regulations, Section 766.6). Marr is also entitled to be represented by counsel or other authorized representative who has power of attorney to represent her. (Regulations, Sections 766.3(a) and 766.4).

⁵ See 15 C.F.R. § 6.4 (2002-2003), *as supplemented by* 68 Fed. Reg. 4,380 (Jan. 29, 2003), *and* 68 Fed. Reg. 69,001 (Dec. 11, 2003).

Jennifer L. Reul-Marr
Proposed Charging Letter
Page 3

The Regulations provide for settlement without a hearing. (Regulations, Section 766.18). Should Marr have a proposal to settle this case, Marr or her representative should transmit it to the attorney representing BIS named below.

The U.S. Coast Guard is providing administrative law judge services in connection with the matters set forth in this letter. Accordingly, Marr's answer must be filed in accordance with the instructions in Section 766.5(a) of the Regulations with:

U.S. Coast Guard ALJ Docketing Center
40 S. Gay Street
Baltimore, Maryland 21202-4022

In addition, a copy of Marr's answer must be served on BIS at the following address:

Chief Counsel for Industry and Security
Attention: Eric Clark
Room H-3839
United States Department of Commerce
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Eric Clark is the attorney representing BIS in this case; any communications that Marr may wish to have concerning this matter should occur through him. He may be contacted by telephone at (202) 482-5301.

Sincerely,

Michael Turner
Director
Office of Export Enforcement